

VIA CERTIFIED MAIL -
RETURN RECEIPT REQUESTED

Eric F. Pastor
Pastor, Behling & Wheeler, LLC
2201 Double Creek Drive, Suite 4004
Round Rock, TX 78664

Re: Gulfco Marine Maintenance Superfund Site, Freeport, Texas
Unilateral Administrative Order, CERCLA Docket No. 06-05-05
Draft Updated Screening Level Ecological Risk Assessment

Dear Mr. Pastor:

By letter dated December 4, 2009, the United States Environmental Protection Agency (EPA) informed you of several deficiencies with respect to your draft "Updated Screening Level Ecological Risk Assessment" (SLERA) dated May 29, 2009, for the Gulfco Marine Maintenance Superfund Site located at 906 Marlin Avenue in Freeport, Brazoria County, Texas (Gulfco Site). In the revised draft SLERA, dated December 22, 2009, you responded to the deficiencies raised by EPA. Upon review, EPA has determined that the response does not adequately address the comments contained in the December 4, 2009 comment letter. EPA believes that the Respondents are not in compliance with the Unilateral Administrative Order for the Gulfco Site issued on July 14, 2005, and subsequently amended on [xxxxdatexxx] (UAO).

Specifically, the revised draft SLERA, dated December 22, 2009, failed to adequately address the comments identified in EPA's December 4, 2009 letter. EPA's comments on the December 22, 2009 revised draft SLERA are contained in the enclosed comments list. If all comments are not adequately addressed, EPA may exercise its right to modify the document unilaterally and require implementation of the revised document.

You are hereby requested to submit a revised draft SLERA no later than 14 days after receipt of this Notice of Deficiency which adequately addresses the above comments to establish compliance with the referenced UAO. If you have any questions concerning this matter, please contact me at (214) 665-8318.

Sincerely yours,

Gary Miller, P.E.
Remedial Project Manager

Enclosure

cc: Luda Voskov (TCEQ)
Susan Roddy
Barbara Nann

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Updated Screening Level Ecological Risk Assessment, dated December 22, 2009,
EPA Comments